

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF FLORIDA  
299 East Broward Boulevard  
Fort Lauderdale, FL 33301  
954-769-5400

CLARENCE MADDOX  
Court Administrator/Clerk of Court

Clerk's Office - Appeal #02-11046-B Date: April 19, 2002  
U.S. Court of Appeals - Eleventh Circuit USDC # 00-6003-CR-WPD  
56 Forsyth St., N.W. USCA # 02-11046-B  
Atlanta, GA 30303

IN RE: USA v. Mitchell Stein

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**Certificate of Readiness of Record On Appeal**

Pursuant to Fed.R.App.P. 11(c), the Clerk of the District Court for the Southern District of Florida hereby certifies that, as shown on the enclosed index, the record is complete for purposes of this appeal. The record (including the transcripts or parts thereof designated for inclusion and all necessary exhibits) consists of:

1 Volume of Pleadings  
1 Volume of Transcripts  
X Exhibits:  
1 PSI (sealed)

Sincerely,

Clarence Maddox, Court Administrator/Clerk

By: [Signature]  
Deputy Clerk

Please Acknowledge Receipt of Certificate of Readiness.

\_\_\_\_\_  
Signature

LSS CLOSED  
APPEAL

U.S. District Court  
Southern District of Florida (FtLauderdale)

CRIMINAL DOCKET FOR CASE #: 00-CR-6003-ALL

USA v. Stein  
Dkt# in other court: None

Filed: 01/11/00

Case Assigned to: Judge William P. Dimitrouleas

MITCHELL STEIN (1) , DOB  
1/16/47 Prisoner #55172-004  
Address 9301 NW 10 St  
Plantation, FL 33322  
defendant  
[term 04/17/00]

Robert Norman Berube  
FTS 356-7556  
[COR LD NTC pda]  
Federal Public Defender's  
Office  
1 E Broward Boulevard  
Suite 1100  
Fort Lauderdale, FL 33301  
954-356-7436

Gary Kollin  
[term 04/17/00]  
FTS 475-2279  
[COR LD NTC ret]  
Gary Kollin  
8211 W Broward Boulevard  
Suite 420  
Fort Lauderdale, FL 33324-2741  
954-723-9999

Pending Counts:

Disposition

26:7203C.M FAILURE TO FILE  
RETURN - SUPPLY INF  
(1)

Probation 36 months; Assessment  
\$25.00  
(1)

Offense Level (opening): 3

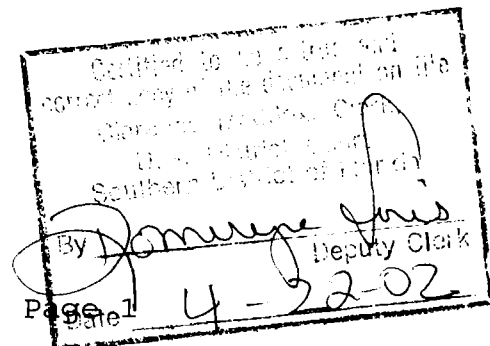
Terminated Counts:

NONE

Complaints:

NONE

Docket as of April 19, 2002 11:43 am



Proceedings include all events.  
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CLOSED APPEAL

MITCHELL STEIN, DOB 1/16/47 Prisoner #55172-004 Address 9301  
NW 10 St Plantation, FL 33322

defendant

=====

USA

plaintiff

U. S. Attorneys:

Lynn Dena Rosenthal, AUSA  
FTS 356-7336  
954-356-7255  
[COR LD NTC]  
United States Attorney's Office  
500 E Broward Boulevard  
7th Floor  
Fort Lauderdale, FL 33394-3002  
954-356-7255

PTS Officer  
954-769-5600  
[COR LD NTC]  
Pretrial Services Office  
299 E Broward Boulevard  
Suite 301  
Fort Lauderdale, FL 33301  
954-769-5600

Probation Officer  
FTS 769-5566  
954-769-5500  
[COR LD NTC]  
United States Probation Office  
299 E Broward Boulevard  
Room 409  
Fort Lauderdale, FL 33301-1865  
954-769-5500

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1/11/00 (1) INFORMATION as to Mitchell Stein (1) count(s) 1 (Criminal Category 1) (dd) [Entry date 01/12/00]

1/11/00 -- Magistrate identification: Magistrate Judge Lurana S. Snow (dd) [Entry date 01/12/00] [Edit date 03/08/00]

1/26/00 (2) NOTICE of Hearing as to Mitchell Stein: Set Change of Plea Hearing for 9:00 2/2/00 for Mitchell Stein before Judge William P. Dimitrouleas (ss) [Entry date 01/26/00]

1/28/00 (3) Minute of Initial Appearance on Information held on 1/28/00 before Magistrate Barry S. Seltzer as to Mitchell Stein; Court Reporter Name or Tape #: 00-011 @ 1031-1286 (ss) [Entry date 01/31/00]

1/28/00 -- Initial appearance as to Mitchell Stein held (Defendant informed of rights.) (ss) [Entry date 01/31/00]

1/28/00 (4) ORDER on Initial Appearance as to Mitchell Stein Bond set to \$50,000 Personal Surety for Mitchell Stein., , (Signed by Magistrate Barry S. Seltzer on 1/28/00) Tape # 00-011 CCAP (ss) [Entry date 01/31/00]

1/28/00 (5) NOTICE of Appearance for Mitchell Stein by Attorney Gary Kollin (ss) [Entry date 01/31/00]

1/28/00 (7) STANDING DISCOVERY ORDER as to Mitchell Stein all motions concerning matters not covered by this order must be filed within 28 days of this order (Signed by Magistrate Barry S. Seltzer on 1/28/00) CCAP (ss) [Entry date 01/31/00]

1/28/00 (8) ORDER RE: STATUS CONFERENCE, Speedy Trial and Pretrial Matters as to Mitchell Stein (Signed by Magistrate Barry S. Seltzer on 1/28/00) CCAP [EOD Date: 1/31/00] CCAP (ss) [Entry date 01/31/00]

1/28/00 (9) ARRAIGNMENT INFORMATION SHEET for Mitchell Stein (1) count(s) 1 NOT GUILTY PLEA ENTERED as to all counts. Court accepts plea. (ss) [Entry date 02/01/00]

1/28/00 (6) PERSONAL SURETY BOND entered by Mitchell Stein in Amount \$50,000.00; Special Conditions: Surrender travel documents; (surrender passport by Monday) Report to PTS: as directed; Submit to substance abuse testing; Refrain from use of alcohol/narcotics; Maintain full-time employment; Avoid contact with victims/witnesses; Refrain from possessing firearm; May travel to and from: State of FL; Comply with additional conditions: reside at current address. Approved by Magistrate Barry S. Seltzer [Original EOD Date 1/31/00] (ss) [Entry date 11/27/01]

2/1/00 (10) REPORT Commencing Criminal Action as to Mitchell Stein DOB: 1/16/47 Prisoner # 55172-004 (ss) [Entry date 02/02/00]

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2/2/00 (11) WAIVER OF INDICTMENT by Mitchell Stein (ss)  
[Entry date 02/03/00]

2/2/00 (12) Minute of Change of Plea held on 2/2/00 before Judge William P. Dimitrouleas as to Mitchell Stein; GUILTY: Mitchell Stein (1) count(s) 1; Sentencing 4/14/00 at 10:30; Court Reporter Name or Tape #: Bob Ryckoff (ss)  
[Entry date 02/03/00]

2/2/00 -- Change of Plea Hearing as to Mitchell Stein held (ss)  
[Entry date 02/03/00]

2/2/00 (13) Plea Agreement as to Mitchell Stein (ss)  
[Entry date 02/03/00]

2/2/00 (14) NOTICE of Hearing as to Mitchell Stein: Setting Sentencing for 10:30 4/14/00 for Mitchell Stein before Judge William P. Dimitrouleas (ss) [Entry date 02/03/00]

2/22/00 (15) MOTION by Mitchell Stein to rescind urine testing as condition of pre-trial release (ss) [Entry date 02/23/00]

2/22/00 (16) ORDER as to Mitchell Stein granting [15-1] motion to rescind urine testing as condition of pre-trial release as to Mitchell Stein (1) (Signed by Judge William P. Dimitrouleas on 2/22/00) CCAP [EOD Date: 2/23/00] CCAP (ss) [Entry date 02/23/00]

3/22/00 (17) OBJECTIONS by Mitchell Stein to Presentence Investigation Report (ss) [Entry date 03/23/00]

3/22/00 (18) MOTION by Mitchell Stein for downward departure (ss)  
[Entry date 03/23/00]

3/30/00 (19) RESPONSE by USA as to Mitchell Stein re [18-1] motion for downward departure (ss) [Entry date 03/31/00]

4/17/00 (20) Minute of Sentencing held on 4/14/00 before Judge William P. Dimitrouleas as to Mitchell Stein; Court Reporter Name or Tape #: Bob Ryckoff (ss) [Entry date 04/18/00]

4/17/00 -- Sentencing held Mitchell Stein (1) count(s) 1 (ss)  
[Entry date 04/18/00]

4/17/00 (21) JUDGMENT as to Mitchell Stein (1) count(s) 1. Probation 36 months; Assessment \$25.00 (Signed by Judge William P. Dimitrouleas on 4/17/00) CCAP [EOD Date: 4/18/00] CCAP (ss)  
[Entry date 04/18/00]

4/19/00 (22) Judgment Returned Executed as to Mitchell Stein on 4/18/00 at SDUSM, US Marshals Service (ss) [Entry date 04/19/00]

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- 11/21/01 (23) PETITION and ORDER for Action on Conditions of Probation as to Mitchell Stein (Signed by Judge William P. Dimitrouleas on 11/14/01) [EOD Date: 11/26/01] (ss) [Entry date 11/26/01]
- 11/21/01 (24) Probation WARRANT issued as to Mitchell Stein. Warrant issued by Judge William P. Dimitrouleas (ss) [Entry date 11/26/01]
- 11/26/01 (25) REPORT Commencing Criminal Action as to Mitchell Stein DOB: 1/16/47 Prisoner # 55172-004 (ss) [Entry date 11/27/01]
- 11/26/01 (26) Probation WARRANT Returned Executed as to Mitchell Stein on 11/26/01 (ss) [Entry date 11/27/01]
- 11/26/01 (27) Minutes of Initial on Violation held on 11/26/01 before Magistrate Barry S. Seltzer as to Mitchell Stein; 12/3/01 at 11:00 (Judge Snow) Final revocation; Court Reporter Name or Tape #: 01-088 @ 3660-3790 (ss) [Entry date 11/27/01]
- 11/26/01 -- Violation of probation hearing as to Mitchell Stein held (ss) [Entry date 11/27/01]
- 11/26/01 (28) PERSONAL SURETY BOND entered by Mitchell Stein in Amount \$25,000.00; Special Conditions: Surrender travel documents; Report to USPO: as directed; Submit to substance abuse testing; Refrain from use of alcohol/narcotics; Maintain full-time employment; Avoid contact with victims/witnesses; Refrain from possessing firearm; May travel to and from: SD/FL; Comply with additional conditions: reside at current address. Approved by Magistrate Barry S. Seltzer. (ss) [Entry date 11/27/01]
- 12/6/01 (29) Minutes of inquiry re counsel] held on 12/6/01 before Magistrate Judge Lurana S. Snow as to Mitchell Stein ; Court Reporter Name or Tape #: 01-53/2943 (dp) [Entry date 12/07/01]
- 12/12/01 (30) NOTICE of Assignment of Assistant Public Defender for Mitchell Stein. Terminated attorney Gary Kollin for Mitchell Stein AFD Robert Norman Berube assigned. (ss) [Entry date 12/13/01]
- 12/12/01 (31) NOTICE of Hearing as to Mitchell Stein: Set status conference for 1:00 12/19/01 for Mitchell Stein before Judge William P. Dimitrouleas (ss) [Entry date 12/13/01]
- 12/19/01 (32) Minutes of Status on Probation Violation held on 12/19/01 before Judge William P. Dimitrouleas as to Mitchell Stein; Court Reporter Name or Tape #: Bob Ryckoff (ss) [Entry date 12/20/01]
- 12/19/01 -- Status on probation violation as to Mitchell Stein held (ss) [Entry date 12/20/01]

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12/19/01 -- Status conference as to Mitchell Stein held (dp)  
[Entry date 12/26/01]

12/21/01 (33) Minutes of status conference held on 12/19/01 before Judge William P. Dimitrouleas as to Mitchell Stein ; Court Reporter Name or Tape #: Bob Ryckoff (dp)  
[Entry date 12/26/01]

12/21/01 (34) NOTICE of Hearing as to Mitchell Stein : set Final Probation Hearing for 10:30 1/11/02 for Mitchell Stein before Judge William P. Dimitrouleas (dp)  
[Entry date 12/26/01]

1/7/02 (35) UNOPPOSED MOTION by Mitchell Stein to continue final violation of probation hearing (ss) [Entry date 01/08/02]

1/7/02 (36) ORDER as to Mitchell Stein granting [35-1] motion to continue final violation of probation hearing as to Mitchell Stein (1) Reset Final Violation of Probation Hearing for 11:15 2/7/02 for Mitchell Stein before Judge William P. Dimitrouleas (Signed by Judge William P. Dimitrouleas on 1/7/02) [EOD Date: 1/8/02] CCAP❖ (ss)  
[Entry date 01/08/02]

1/9/02 (37) MOTION by USA as to Mitchell Stein to reschedule final violation of probation hearing (ss) [Entry date 01/10/02]

1/10/02 (38) ORDER as to Mitchell Stein granting [37-1] motion to reschedule final violation of probation hearing as to Mitchell Stein (1) Reset Final Violation of Probation Hearing for 1:00 2/15/02 for Mitchell Stein before Judge William P. Dimitrouleas (Signed by Judge William P. Dimitrouleas on 1/10/02) [EOD Date: 1/11/02] CCAP❖ (ss)  
[Entry date 01/11/02]

2/15/02 (39) SENTENCING POSITION by USA as to Mitchell Stein (ss)  
[Entry date 02/19/02]

2/15/02 (40) Minutes of Sentencing/Final Revocation held on 2/15/02 before Judge William P. Dimitrouleas as to Mitchell Stein; Court Reporter Name or Tape #: Bob Ryckoff (ss)  
[Entry date 02/19/02]

2/15/02 -- Sentencing/Final revocation hearing as to Mitchell Stein held (ss) [Entry date 02/19/02]

2/15/02 (41) Exhibit and Witness List as to Mitchell Stein (ss)  
[Entry date 02/19/02]



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- 2/19/02 (42) JUDGMENT AND COMMITMENT UPON REVOCATION OF PROBATION as to Mitchell Stein that the supervised probation imposed is Revoked and the defendant is committed to the custody of the Attorney General or his Authorized Representative for a period of 9 months (Signed by Judge William P. Dimitrouleas on 2/19/02) [EOD Date: 2/20/02] CCAP❖ (ss) [Entry date 02/20/02]
- 2/22/02 (43) NOTICE OF APPEAL by Mitchell Stein re: [42-2] order EOD Date: 2/20/02; Mitchell Stein (1) count(s) 1; Filing Fee: \$ NO FEE REQUIRED Copies to USCA, AUSA, USM, USPO and Counsel of Record. (dl) [Entry date 02/22/02]
- 2/22/02 -- Certified copies of Notice of Appeal, Docket and Order under appeal to USCA: as to Mitchell Stein [43-1] appeal (dl) [Entry date 02/22/02]
- 2/25/02 (44) MOTION by Mitchell Stein requesting judicial recommendation (ss) [Entry date 02/26/02]
- 2/26/02 (45) ORDER as to Mitchell Stein granting [44-1] motion requesting judicial recommendation as to Mitchell Stein (1) (Signed by Judge William P. Dimitrouleas on 2/26/02) [EOD Date: 2/28/02] CCAP❖ (ss) [Entry date 02/28/02]
- 3/1/02 -- NOTICE of Receipt of Notice of Appeal Transmittal Letter from USCA on 3/1/02 as to Mitchell Stein Re: [43-1] appeal USCA Number: 02-11046-B (dl) [Entry date 03/04/02]
- 3/6/02 (46) TRANSCRIPT INFORMATION FORM as to Mitchell Stein re: [43-1] appeal received on 3/8/02 from Court Reporter. (Returned to Court Reporter Coordinator) (gf) [Entry date 03/11/02]
- 3/20/02 (47) Acknowledgement of Transcript Information Form as to Mitchell Stein re: [43-1] appeal by Mitchell Stein Transcript of: Sentence held 2/15/02. Transcript due on: 4/18/02 for Mitchell Stein ; Court Reporter name: Robert Ryckoff (gf) [Entry date 03/26/02]
- 4/11/02 (48) TRANSCRIPT filed as to Mitchell Stein of Final Revocation Hearing held 2/15/02 before Judge William P. Dimitrouleas Volume #: 1 Pages: 1-49 re: [43-1] appeal . Appeal record due on 4/26/02 for Mitchell Stein (gf) [Entry date 04/12/02]
- 4/11/02 (50) Judgment and Commitment upon revocation of probation returned executed as to Mitchell Stein on 4/2/02 at Federal Correctional Institution, Miami, Florida (ss) [Entry date 04/12/02]
- 4/12/02 (49) Transcript Information Form as to Mitchell Stein for Transcript of: Final Revocation Hearing held 2/15/02 filed re: [43-1] appeal by Mitchell Stein (gf) [Entry date 04/12/02]



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4/19/02

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Certificate of readiness transmitted to USCA as to Mitchell  
Stein re: [43-1] appeal by Mitchell Stein USCA #  
02-11046-B (dl) [Entry date 04/19/02]